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The 10th May, 1972

No. 2402-ET(I)-72/17203.—The result of the Departmental Examination of the Officers and Excise and Taxation Department Haryana and Himachal Pradesh, held in February, 1972, is announced as under :—

Serial No.	Name of the Officer/Official and district in which posted	Paper I (Law of crimes)	Paper II (Excise Law)	Paper III (Allied Taxes)	Paper IV (Property Tax Law)	Paper V (Sales Tax Law)	Paper VI (Book Keeping)	Paper VII (Landa Script)
1	2	3	4	5	6	7	8	9
Assistant Excise and Taxation Officers								
1	Shri Kartar Singh, S.T.C.B., ... Badli	Fail	Pass (with credit)	Pass (with credit)	Pass	..	..	Pass (with credit)
2	Shri Hem Raj Mohindroo, ... S.T.C.B., Dabwali	Fail	Pass	..	..	..	..	..
3	Shri R.L. Ahooja, S.T.C.B., ... Dhul Kot	Pass	..	..	..	..	Pass (with credit)	Pass (with credit)
4	Shri Prem Narain, Ambala Cantt.	Pass	Pass	..	Pass	..	Pass	Pass
5	Shri Gobind Ram Gupta, ... Faridabad	Fail	Pass	..	..	Pass	..	Pass
6	Shri Har Bhagwan Gandhi, ... Yamuna Nagar	..	Pass (with credit)	Pass (with credit)	Pass (with credit)	Pass	..	..
7	Shri Rajinder Lall, Rohtak	Pass	..	..	Pass (with credit)	..	Pass	..
8	Shri J.L. Dogra, Rewari	Fail	..	..	..	..	..	..
9	Shri Som Nath Vij, Hissar	..	Pass	Pass (with credit)	..	..	..	Pass
10	Shri H.L. Goyal, Sonepat	..	Fail	..	..	..	..	..
11	Shri Sada Nand, Bahadurgarh	Pass	Pass (with credit)	..	..	..	..	..
12	Shri Ved Parkash, Sirsa	..	Pass	Pass (with credit)	Fail	Pass	..	..
13	Shri Sat Pal Sharma, Rohtak	..	Pass	Pass (with credit)	Pass	Pass	Pass	Pass
14	Shri K.K. Bhasin, Karnal	..	Pass (with credit)	..	..	..	..	..
15	Shri Madan Lal Gupta, Hissar	..	Pass	..	..	..	..	..
16	Shri V.J. Puri, Chandigarh	..	Pass (with credit)	..	..	..	..	..
17	Shri Rattan Singh, Faridabad	..	Pass (with credit)	..	Pass	Pass	Pass	Pass (with credit)
18	Shri N.P. Sud, Jind	..	Pass	..	Pass	..	Fail	Pass
19	Shri Kashmeri Lal Marya, ... Ambala Cantt.	..	..	Pass (with credit)	..	Pass	Fail	Pass
20	Shri G.C. Mehta, Sirsa	..	..	Fail	Fail	Pass	..	..
21	Shri Vijay Singh Rao, ... S.T.C.B., Ambala City	..	..	Pass	Pass	Fail	Fail	Pass
22	Shri Bhupinder Singh, Panipat	..	..	Pass	Pass	Pass	Fail	..
23	Shri K.N. Chibber, Thanesar	..	..	Pass	Fail	Pass	Pass	Pass
24	Shri G.S. Sharda, Karnal	..	..	Pass (with credit)	Pass	Pass	..	..
25	Shri W.S. Bindra, Karnal	..	..	Pass (with credit)	Fail	Pass	..	..
26	Shri K.K. Miglani,	..	..	Pass (with credit)	Fail	Pass	..	..

1	2	3	4	5	6	7	8	9
Assistant Excise and Taxation Officers								
27	Shri Inder Nath Vig, Karnal	..	..	..	Fail	Pass	Fail	Pass (with credit)
28	Shri Daryao Singh Lodowal, Gurgaon	..	..	..	..	Fail	Fail	..
29	Shri H.J. Paul Sharma, S.T.C.B. 20 Mile	..	..	..	Pass	Pass	..	Pass with credit
30	Shri K.K. Sayal, Ambala	..	..	..	Pass	..	..	Pass
31	Shri Mahli Ram, Narnaul	..	..	..	Fail	Fail	Fail	..
Taxation Inspectors								
32	Shri Jagir Singh, Yamuna Nagar	Fail	Fail	Pass	..	..	..	..
33	Shri Dharam Raj BUBLANI, S.T.C.B. 20 Meel	Fail	..	..	..	Fail	Fail	Pass
34	Shri Shyam Lal Gupta, S.T.C.B., Ambala City	..	..	Pass (Higher Standard)	Pass (Higher Standard)	Pass (Higher Standard)	Pass (Higher Standard)	Pass (with credit)
35	Shri S. Nagesh Kanwar, S.T.C.B., Dundahera, Gurgaon	Pass (Higher Standard)	..	..	Pass (Higher Standard)	..	Pass (with credit)	..
36	Shri B.S. Jeji, S.T.C.B. Dhulkot	..	Pass (Higher Standard)	..	..	..	..	..
37	Shri Lal Sukh Kapatia, Excise and Taxation Inspector Toll Tax Barrier, (Mahasu)	..	..	Fail	Pass	Fail	..	..
38	Shri Dinesh Parkash Kaushesh, Excise and Taxation Inspector, Nahan	..	..	Fail	..	..	..	Pass (Higher Standard)
39	Shri Pritam Singh, Excise and Taxation Inspector, Renuka Circle (Mahasu)	..	..	..	Pass	Fail	..	Pass (Higher Standard)
40	Shri Harmesh Chander Jindal, Excise and Taxation Inspector, Kala Amb Barrier (Sirmur)	..	..	..	..	Fail	Fail	Pass (Higher Standard)
41	Shri M. S. Mann, S.T.C.B., Dabwali	..	..	..	..	Pass (Higher Standard)	Pass (with credit)	..
42	Shri Puran Singh Balle, S.T.C.B., Dabwali	..	..	..	..	Fail	Fail	..
43	Shri Jagmohan Lal, Ambala Cantt.	..	..	..	..	..	Pass (with credit)	..
44	Shri S. P. Singh Chauhan, Jind	..	..	..	..	..	Pass (Higher Standard)	..
Excise Inspectors								
45	Shri Maman Singh, Karnal, Distillary, Karnal	Fail	Pass (Higher Standard)	Fail	..	..	..	..
46	Shri Yash Pal Singh, Haryana Distillary, Yamuna Nagar	Fail	(Pass Higher Standard)	Fail	..	..	..	..
47	Shri Rajveer Singh, Karnal Distillary	Fail	Pass (Higher Standard)	Fail
48	Shri J. S. Sidhu, Kaithal	..	Pass (Higher Standard)

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1	2	3	4	5	6	7	8	9
49	Shri Hari Singh Pacherwal, Panipat Distillery	Fail	Pass (Higher Standard)	Fail
50	Shri Ranbir Singh, Gurgaon	Fail	Pass	Fail	..	..	..	..
51	Shri Raj Kumar, Govt. Chemical Works, Karnal	Fail	Pass	Fail	..	..	..	..
52	Shri Mahinder Lal Katyal, Haryana Distillery, Yamuna Nagar	Fail	Pass	Fail	..	..	..	..
53	Shri Ram Autar, Panipat Co-op. Distillery, Panipat	Fail	Pass (Higher Standard)	Pass (with credit)	..	..	..	..
54	Shri Rajinder Singh, Karnal	Fail	Pass	Fail	..	..	..	..
55	Shri Ram Kumar, M/s Bhandari Homoeopathic, Faridabad	Fail	Pass (Higher Standard)	Fail	..	..	..	..
56	Shri Baljit Singh Nehra, K. Pharmaceutical Works, Jind	Fail	Pass	Fail	..	..	..	..
57	Shri G. S. Uppal, Panipat Co-op. Distillery, Panipat	Pass (Higher Standard)	..	..	..	..	Pass (Higher Standard)	..
58	Shri Dharamvir Singh, Sugar Mills, Panipat	Fail	Pass (Higher Standard)	Fail	..	..	..	..
59	Shri H. M. Solanki, Rohtak	Fail	Pass	Pass	..	..	..	..
60	Shri Surender Singh Parmar, Medical Pharm (P) Ltd., Gurgaon	Fail	Pass	Fail	..	..	..	..
61	Shri A. L. Khurana, Karnal Distillery	..	..	Pass (with credit)	Pass	..	..	..
62	Shri Vishnu Kumar, Hissar	Fail	Pass	Fail	..	..	..	..
63	Shri Bhani Ram Nirwan, Sugar Mills, Rohtak	Fail	Pass (Higher Standard)	Pass	..	..	..	..
64	Shri Lala Singh, E. T. O. Office, Ambala	..	Pass	..	..	..	..	Fail
65	Shri Ram Sarup, Rohtak	..	..	..	..	..	..	Fail

N. N. KASHYAP,
Secretary to Government, Haryana,
Excise and Taxation Department

LABOUR DEPARTMENT

The 6th May, 1972

No. 4869-4Lab-72/18776.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s Matchless Rubber and Paint Industry, Faridabad:—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 213 of 1971

between

THE WORKMAN SHRIMATI SHANTI DEVI C/O GENERAL ENGINEERING WORKERS UNION, I-K/16, N. I. T. FARIDABAD, AND THE MANAGEMENT OF M/S MATCHLESS RUBBER AND PAINT INDUSTRY, FARIDABAD

Present:—

Shri mati Shanti Devi, workman.
Nemo, for the management.

AWARD

Shrimati Shanti Devi was in the service of M/s Matchless Rubber and Paint Industry, Faridabad. The management terminated her services and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of Sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Government Gazette notification No. ID/FD/387-A-71/32251-55, dated 4th November, 1971 :—

Whether the termination of services of Shrimati Shanti Devi was justified and in order? If not; to what relief is she entitled?

On receipt of the reference usual notices were issued to the parties. A notice sent to the management under registered cover has been received back with the endorsement of the post office that the addressee has refused to accept the service. The evidence of the workman, has, therefore, been recorded. She has stated that as a result of an accident two fingers of her right hand were partially cut off and she was admitted in the Hospital. When she was cured she reported for duty but the management refused to take her back into the service. It does not appear that the management got the workman medically examined as to whether she was unfit to perform the duties which she was previously doing. Under these circumstances it cannot be said that the termination of her services was justified and in order. She is, therefore, entitled to be reinstated with continuity of service and full back wages. I give my award accordingly. No order as to costs.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak,
(Camp Faridabad.)

Dated, the 26th April, 1972.

No. 702, dated, the 28th April, 1972.

Forwarded in quadruplicate to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 4865-4Lab-72/18778.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s National Air Products, Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 87 of 1971

between

THE WORKMAN SHRI GAJADHAR PARSHAD AND THE MANAGEMENT OF M/S
NATIONAL AIR PRODUCTS LTD, FARIDABAD

Present.—

Shri Gajadhar Parshad, workman.

Shri A. N. Ganapati, Administrative Officer, for the management.

AWARD

The following industrial dispute between the workman Shri Gajadhar Parshad and the management of M/s Air Products Ltd, Faridabad was referred to this Court for adjudication,—*vide* Government Notification No. ID/FD/347-C/ , dated 3rd June, 1971 :—

“Whether the termination of services of Shri Gajadhar Parshad was justified and in order? If not, to what relief is he entitled?”

A compromise has been effected between the parties. The workman has been paid a sum of Rs. 5,585 in the presence of the Court in full and final settlement of all his claim including his claim for reinstatement and now there is no dispute between the parties and no other monetary benefit is due to the workman for the management. I give my award in accordance with the terms of compromise. No order as to costs.

Dated, the 26th April, 1972.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

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No. 705, dated Rohtak, the 28th April, 1972

Forwarded, in quadruplicate, to the Secretary, to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 4871-4 Lab-72/18780.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Labour Officer-cum-Conciliation Officer, Ballabgarh/Faridabad, in respect of the dispute between the workmen and the management of M/s Jai Hind Investment & Industries (P) Ltd., Ballabgarh.

BEFORE SHRI S. L. SHARMA, LABOUR OFFICER AND CONCILIATION OFFICER,
BALLABGARH, SECTOR 7, FARIDABAD

Arbitration Award under section 10(A) of the Industrial Disputes Act, 1947, in the case of the workman Shri Babu Lal *versus* the Management of M/s Jai Hind Investment & Industries (P) Ltd., Sector 24, Ballabgarh/Faridabad.

Representing the management.—Shri D. C. Bhardwaj with Shri S. P. Gaur, for the management.

Represneting the workman.—Shri Babu Lal workman in person.

SHORT RECITAL OF THE CASE

Arbitration Case of Shri Babu Lal

TERMS OF SETTLEMENT

The parties have made a statement that they have settled the case in full and final settlement of all his claims and pray that the case be filed. The workman will be paid two months wages in full and final settlement of all his claims by 8th April, 1972, @ Rs 200 per mensem, i.e., Rs 400 in all including right of reinstatement/re-employment.

(Sd) . . .

(Sd) . . .

Signature of the workman.

Signature of the representative of the Management.

I award accordingly.

Dated 7th April, 1972.

S. L. SHARMA, H.L.S.,

Labour Officer-cum-Conciliation Officer,
Ballabgarh Circle.

No. 1008, dated 1st May, 1972

Four copies of this award are forwarded to the Secretary, Labour Department, Haryana, Chandigarh, with reference to his, endorsement No. ID/FD/2101, dated 27th January, 1972.

S. L. SHARMA,

Labour Officer-cum-Conciliation Officer,
Ballabgarh Circle,
Sector 7, Faridabad.

The 8th May, 1972

No. 4867-4Lab-72/18774.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s R. K. Enterprise Electrical & Mechanical Engineers, Faridabad.

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 121 of 1971

Between

THE WORKMAN SHRI HARPAL SINGH C/O GENERAL LABOUR UNION I-K/16, FARIDABAD
 AND THE MANAGEMENT OF M/S R. K. ENTERPRISE ELECTRICAL & MECHANICAL
 ENGINEERS FARIDABAD

Present.—

Nemo, for the workman.

Shri R. C. Sharma, for the management.

AWARD

Shri Harpal Singh was in the service of M/s R. K. Enterprise Electrical & Mechanical Engineers, Faridabad. He alleges that his services were wrongfully terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, referred the following dispute to this Court for adjudication, —*vide* Gazette notification No. ID/FD/681-A, dated the 27th July, 1971.

Whether the termination of services of Shri Harpal Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties in response to which the management filed the written statement. The case of management is that the workman Shri Harpal Singh attended to his duties up to 15th March, 1971, and thereafter he absented himself without any information or permission of the management. A letter dated 23rd March, 1971, was sent to the workman requiring him to attend to his duties but he did not come. The workman was directed to attend the Court to admit or deny the documents produced by the management. The parties were also directed to produce evidence but the workman nor his representative has attended the Court. The evidence of the management has been recorded. Shri S. P. Gandhi, partner of the respondent concern has proved that the applicant was engaged as a commutator maker on 15th April, 1970 and on 8th September, 1970, he voluntarily left the service. It is stated that he came back on 2nd November, 1970, but again left on 15th March, 1971. A letter dated 23rd February, 1971, copy Ex. M. W. 1/1 was sent to him under postal certificate. Ex. M. 1/2, but he did not reply nor did he come back. There is no rebuttal of this evidence. I, therefore, hold that it is not proved that the services of the workman were terminated by the management and he is not entitled to any relief. I give my award accordingly. There will be no order as to costs.

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Dated 26th April, 1972.

P. N. THUKRAL,

Presiding Officer,
 Labour Court, Haryana,
 Rohtak.

No. 703, dated Rohtak, the 28th April, 1972

Forwarded, in quadruplicate, to the Secretary to Government, Haryana, Labour and Employment, Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
 Labour Court, Haryana,
 Rohtak.

The 11th May, 1972

No. 4992-4-Lab-72/19404.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Escorts Plant II, Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 80 of 1970

between

THE WORKMEN SHRI H.P. SINGH, C/O PRESIDENT, GENERAL LABOUR UNION, I-K/16,
FARIDABAD AND THE MANAGEMENT OF M/S ESCORTS PLANT II, FARIDABAD

Present :—

Shri Khem Chand, for the workmen.

Shri P. C. Aggarwal, for the management.

AWARD

Shri H. P. Singh was in the service of M/s Escorts Plant II, Faridabad. His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, referred the following dispute to the Labour Court, Faridabad for adjudication,—*vide* Gazette notification No. ID/FD/205/I, dated 26th March, 1969 :—

whether the termination of services of Shri H. P. Singh was justified and in order. If not, to what relief is he entitled ?

The necessary issues which arose from the pleadings of the parties were framed but before the case could be disposed off the Labour Court, Faridabad ceased to function because of the decision of the High Court in Civil Writ No. 1,129 of 1969. The Government of Haryana constituted another Labour Court,—*vide* Gazette notification No. 3864-ASO(E)-Lab-70, dated 8th May, 1970 and referred the dispute to this Court for adjudication.

It is not necessary to decide the case on merits because the management have pleaded that a compromise has been arrived at between the parties. Shri Krishan Lal who appeared on behalf of the workmen stated that he had no instruction with regard to the alleged compromise and so the case was adjourned to enable the representatives of the workmen to obtain instructions but still no instructions have been obtained nor the workman has appeared. The terms of compromise have been duly proved by the evidence of Shri P. C. Aggarwal, Personnel Officer. Under the terms of the compromise the workman Shri H. P. Singh has given up his claim for re-instatement or re-employment and has further agreed that he has no claim of any kind or dues or dispute whatsoever against the management in respect of the termination of the services or otherwise. In view of this compromise I hold that the workman is not entitled to any further relief. I give my award accordingly. I make no order as to costs.

Dated 2nd May, 1972.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 722, Dated Rohtak, the 2nd May, 1972

Forwarded in quadruplicate to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 4989-4Lab-72/19406.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Injecto Private Ltd., 20/5 Mathura Road, Faridabad.

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK.

Reference No. 223 of 1971.

Between

THE WORKMAN SHRI PIARE LAL, C/O FARIDABAD ENGINEERING WORKERS UNION N.I.T.
FARIDABAD AND THE MANAGEMENT OF M/S INJECTO PRIVATE LTD., 20/5, MATHURA
ROAD, FARIDABAD.

Present :—

Shri Pasham Singh, for the workman.
Shri B.R. Grover, for the management.

AWARD

Shri Piare Lal was in the service of M/s Injecto Private Ltd., 20/5, Mathura Road, Faridabad. His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana referred the following dispute to this Court for adjudication,—*vide* Government Gazette Notification No. ID/FD/603/A-71, dated 4th November, 1971:—

“Whether the termination of services of Shri Piare Lal was justified and in order ? If not, to what relief is he entitled ?

It is not necessary to decide the case on merits because the management have pleaded that a compromise has been arrived at between the parties under which it has been agreed that the workman would be paid his earned wages and leave wages and the bonus would be paid to him as and when declared. It is also agreed between the parties that the workman would be paid ex gratia a sum of Rs 280 and he has given his claim for re-instatement. This application was filed on 21st February, 1972. Shri Pasham Singh who appeared on behalf behalf of the workman stated that he had no instruction from the workman with regard to the alleged settlement. The case was accordingly adjourned to 25th April, 1971 to enable the workman to obtain instructions, but it does not appear that any instruction have been obtained. The settlement which is dated 16th September, 1971 is duly proved by the learned representative of the management. The workman has not attended nor the settlement is specifically denied by the workman. His representative has simply stated that on 25th June, 1971 a notice of demand was given to the Conciliation Officer and till then no compromise was arrived at and thereafter no compromise could be arrived at under sub-section (3) of section 12 of the Industrial Disputes Act 1947. He has further stated that the workman has not received any amount nor the management have proved any receipt for the payment. In my opinion the settlement is duly proved and there is no force in the objection of the representative of the workman that the settlement put forward by the management is not legally valid. The workman is bound by the terms of settlement and he is not entitled to the relief of re-instatement. I give my award accordingly. In case the management have not paid the dues to the workman in accordance with the terms of settlement he would be entitled to seek relief under the provision of section 33-C(2) of the Industrial Disputes Act, 1947, if so advised.

Dated 2nd May, 1972

P.N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 725

Dated, Rohtak, the 2nd May, 1972.

Forwarded in quadruplicate to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P.N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 4988-4Lab-72/19410.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Fricks India Ltd., 13/3 Mathura Road, Faridabad.

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA
ROHTAK.

Reference No. 219 of 1971

Between

THE WORKMAN SHRI PROBASH CHANDER C/O FRICK INDIA WORKERS UNION C/O
ENGINEERING WORKERS UNION, N.I.T., FARIDABAD AND THE MANAGEMENT OF M/S
FRICK INDIA LTD., 13/3, MATHURA ROAD, FARIDABAD.

Present.—

Shri Pasham Singh, for the workman.
Shri B.R. Grover, for the management.

AWARD

Shri Probash Chander was employed as a Welder. His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, has referred the following disputes to the Court for adjudication,—*vide* Government Gazette Notification No. ID/FD/324-D-71/dated 4th November, 1971:—

“Whether the termination of services of Shri Probash Chander was justified and in order ? If not to what relief is he entitled ?

It is not necessary to decide the case on merits. The management have submitted an application bearing the signatures of the workman in which he has admitted that he has received a sum of Rs 156.24 and has given up his claim for reinstatement. The representative of the workman denied any knowledge of the alleged settlement. No reason was given as to why the workman was absent when the date was fixed for the evidence of the parties. In view of the settlement which contains the signature of the workman, I hold that the dispute between the parties is amicably settled and the workman is not entitled to any relief. I give my award accordingly. No order as to costs.

P. N. THUKRAL,

Dated 2nd May, 1972

Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 726 dated Rohtak, the 2nd May, 1972

Forwarded in quadruplicate to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 5042-4Lab-72/19414.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Escorts Ltd., Plant II, Faridabad:—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 90 of 1971

between

The workman Shri Jagdev Singh c/o The President, General Labour Union, I-K/16, N.I.T., Faridabad and the management of M/s Escorts Ltd., Plant II, Mathura Road, Faridabad

Present:

Shri Jagdev Singh, workman.
Shri P.C. Aggarwal, for the management.

AWARD

The management terminated the services of their Welder Shri Jagdev Singh and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of subsection (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this court for adjudication vide Gazette Notification No. JD/FD/205-D/dated 25th June, 1971:—

“Whether the termination of services of Shri Jagdev Singh was justified and in order? If not: to what relief is he entitled?”

A preliminary objection has been raised on behalf of the management that the registration of the General Labour Union which has raised the dispute on behalf of the workman has been cancelled and so no union now exists and Shri R.L. Sharma who have filed the statement of claim on behalf of the workman and is representing him is not entitled to do so. On merits it is pleaded that the workman disobeyed the orders of the management. He was charge-sheeted and his guilt was satisfactorily established during the course of domestic enquiry and so the termination of his services was justified. The following issues were framed:—

1. Whether the reference is invalid?
2. Whether the termination of services of Shri Jagdev Singh was justified and in order? If not: to what relief is he entitled?

Issue No. 1. The present dispute has been raised under section 2-A of the Industrial Disputes Act, 1947. There is no evidence to show that the registration of the General Labour Union had been cancelled before the notice of demand was given. Under the provision of section 36 of the Industrial Disputes Act, 1947, a workman is entitled to be represented through an officer of the registered trade union and the reference cannot, therefore, be said to be invalid simply because the notice of demand was given on behalf of the workman by a union whose registration has been subsequently cancelled. I find this issue in favour of the workman.

Issue No. 2. The management have produced the record of the enquiry held against the workman and it is duly proved by the evidence of the Enquiry Officer Shri R.N. Rai. Exhibit M.W. 1/3 is the notice given to the workman informing him that the enquiry would be held on 18th August, 1970 at 2.00 P.M. The endorsement under this notice shows that the workman refused to accept this notice in the presence of number of workmen whose signatures appear on that notice. The management then sent another notice under registered cover. This too was received back with an endorsement of the postal authorities that the addressee had refused to accept the same. So the management had no other alternative but to proceed *ex parte*. The Enquiry Officer recorded the evidence of the witnesses in the absence of the workman and came to the conclusion that his guilt was satisfactorily established.

The only argument advanced on behalf of the workman is that no notice of enquiry was sent to the workman at his residential address and it is denied that the workman ever refused to accept the notice of the enquiry. The learned representative of the management has rightly pointed out that there was no point in sending the notice to the workman at his residential address because he was working in the day shift and the notice could not have been served on him in his house when he was working in the factory. The stand taken up by the workman that he never refused to accept the notice does not appear to be correct. In sub-clause (iv) of para four of the written statement it is specifically pleaded that the notice of the enquiry was sent to the workman through the Security Officer but he refused to accept the same and the notice of the enquiry sent by registered post was also received back undelivered. A copy of the written statement was given to the representative of the workman on 6th September, 1971 and the case was adjourned to 25th October, 1971 for the replication but the workman did not even come to file the replication denying these assertions of the management. The record of the enquiry shows that the workman did not accept the charge sheet and also submitted his reply denying the allegations so the workman knew that there were allegations of misconduct against him.

The letter of discharge was duly sent to the workman in which he was informed that he had been found guilty in the enquiry held against him. The workman never protested and never wrote to the management that no enquiry had been held to his knowledge. Under these circumstances it is not possible to accept his version of the workman that he was wholly ignorant of the reasons for his dismissal and that he was also unaware of the enquiry held against him. In my opinion, therefore, the termination of the services of the workman is proved to be justified and he is not entitled to any relief. I give my award accordingly. I make no order as to costs.

Dated 1st May, 1972.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 715 dated Rohtak, the 1st May, 1972

Forwarded in quadruplicate to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 4987-4Lab-72/19416.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s N.R. Factory, Modern Area, Bahadurgarh :—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 106 of 971

between

The workman Shri Hari Ram c/o Bahadurgarh Potteries and General Labour Union, Bahadurgarh (Rohtak) and the management of M/s N.R. Factory, Modern Area, Bahadurgarh

Present:—

Shri Manmohan Chadha, for the management.
Nemo, for the workman.

AWARD

The following industrial dispute was referred to this Court for adjudication,—*vide* GOVERNMENT GAZETTE Notification No. ID/RK/215-A-71/X, dated 25th June, 1971 :—

“Whether the termination of services of Shri Hari Ram was justified and in order ? If not ; to what relief is he entitled ?”

On receipt of the reference usual notices were issued to the parties. The management took up the position that the workman absented himself from duty with effect from 19th March, 1971 and so his name was rightly struck off. The following issue was framed.

1. Whether the workman absented himself from duty with effect from 19th March, 1971 and the work of the respondent suffered and so his name was rightly struck off?

The case was adjourned to 2nd May, 1972. On the date fixed nobody appeared on behalf of the workman. Shri Mumtaz Chandhia appeared on behalf of the management and filed the original settlement marked Ex. M.1. which is said to have been arrived at between the parties under which the workman agreed to accept Rs 500 in full and final settlement of his claim and after deducting an advance of Rs 100 the net amount payable to him was Rs 400. Shri Chandhia has also filed a receipt Exhibit M.2 under which the workman acknowledged that the amount due to him has been received. In view of the settlement arrived at between the parties, I hold that the workman is not entitled to any further relief. I give my award accordingly. No order as to costs.

P.N. THUKRAL,

Dated 2nd May, 1972

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 727, dated Rohtak, the 2nd May, 1972

Forwarded, in quadruplicate, to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P.N. THUKRAL,

Presiding Officer,
Labour Court, Haryana
Rohtak.

No. 5046-4Lab-72/19418.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Karnal Kaithal Co-operative Transport Society Ltd., Karnal.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 48 of 1970

between

THE WORKMAN SHRI JAGDISH SARUP AND THE MANAGEMENT OF M/S KARNAL KAITHAL COOP. TRANSPORT SOCIETY LTD., KARNAL

Present :—

Shri Harbans Lal, for the workman.

Shri Ram Lal Chaudhry, for the management.

AWARD

The following industrial dispute was referred to the Labour Court, Rohtak,—vide the Gazette Notification No. ID/KL/24-B/68/dated 29th February, 1968 :—

Whether the termination of services of Shri Jagdish Sarup, Conductor, was justified and in order? If not; to what relief is he entitled?

The headquarters of the Labour Court, Rohtak were transferred to Faridabad and the Court was then designated as Labour Court, Faridabad. This Court ceased to function in view of the judgement of the High Court in Civil Writ No. 1129 of 1969. The State Government, then constituted another Labour Court,—vide Gazette Notification No. 3864-ASO(E)-Lab-70, dated 8th May, 1970, and the present reference was then transferred to this Court for adjudication.

It is not necessary to decide the case on merits because a compromise has been arrived at between the parties. The workman has made a statement that the management have agreed to pay him Rs. 350 in full and final settlement of his claim for reinstatement but if any amount is found due to him on account of his

wages, security of provident fund etc. then he would be entitled to recover the same. The representative of the management admits the correctness of the statement. I give my award in accordance with the terms of compromise. No order as to costs.

P. N. THUKRAL,

Presiding Officer,

Labour Court, Haryana, Rohtak.

Dated 1st May, 1972

No. 713, dated Rohtak, the 1st May, 1972

Forwarded, in quadruplicate, to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,

Labour Court, Haryana, Rohtak.

B. L. AHUJA,

Commissioner for Labour and Employment and Secy.